

DEPARTMENT OF LABOR AND INDUSTRY

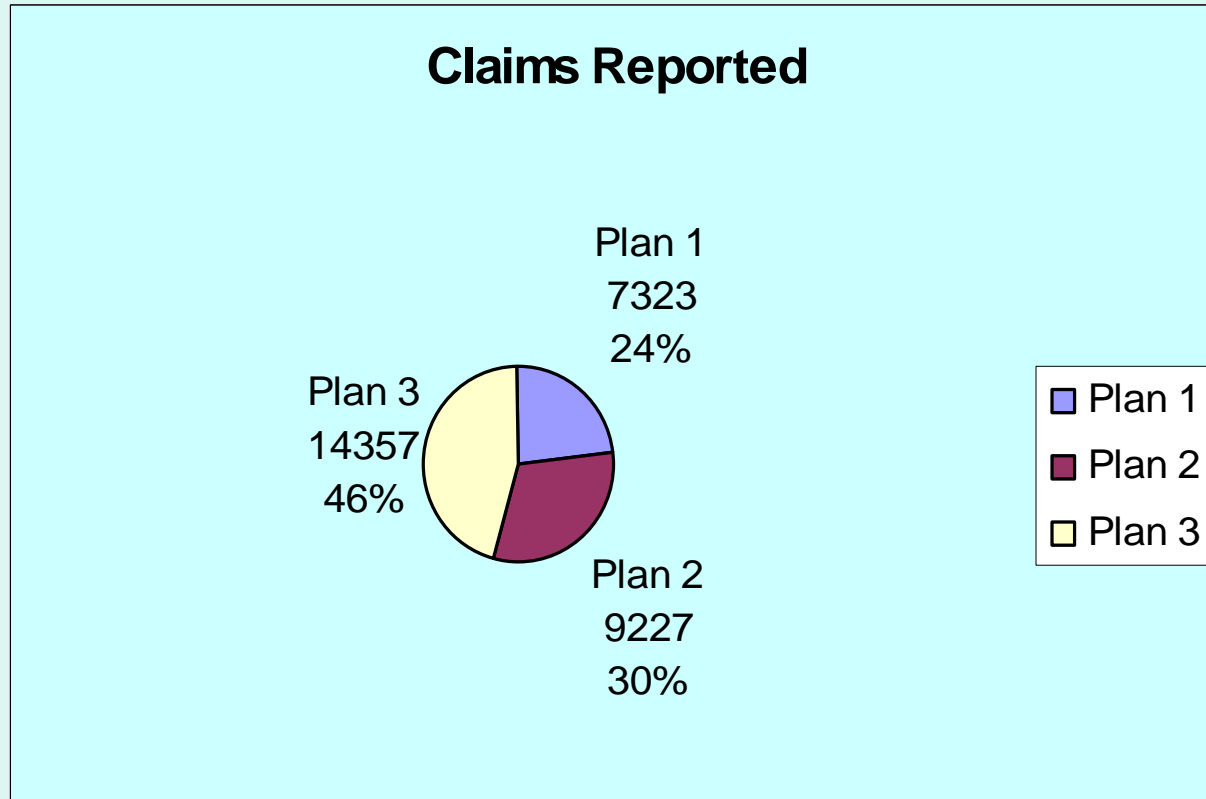
**EMPLOYMENT RELATIONS DIVISION
CLAIMS ASSISTANCE BUREAU**

Barb Gullickson, Claims Unit Supervisor
September 2, 2008

Claims Unit Staff

- **Funding Source – Employer Assessment**
- **One Full-time Bureau Chief**
- **Claims Unit**
 - **One Full Time Supervisor**
 - **Three Full Time Claims Specialists**
 - **One Full Time Claims Tech**
 - **Two Full Time Administrative Support**

FY07 Claims Reported by Plan Type



Employers

- **We assist employers in filing claims on behalf of injured workers**
- **Employers ask questions regarding their responsibilities**
- **We refer employers to the claims examiners who handle their claims**
- **We confirm information the claims examiner has given the employer**

Medical Providers

- **We assist medical providers**
 - **We determine who the correct adjusting company is and refer the provider to them for payment of medical bills and authorization for treatment**
 - **Provide claim numbers**

Attorneys

We work with attorneys

- Fielding their questions regarding Workers' Compensation Statutes & Rules**
- Provide assistance with settlement documentation**
- Provide annual Workers' Compensation Stakeholders training**
- Approve Attorney Fee Agreements**
- Provide training in reporting legal fees**
- Provide prior claim histories**
- Attorneys refer claimants to us**

Claim Examiners

- **We assist claim examiners by**
 - **Administration of the Montana Workers' Compensation and Occupational Disease Acts and the Administrative Rules of Montana**
 - **Provide training**
 - **Answer questions**
 - **Provide technical assistance**
 - **Provide Prior claim histories**
 - **Process settlement agreements**
- **What we expect from Claim Examiners**
 - **Timely response to our inquiries**
 - **Good communication**
 - **Claim status**
 - **Opportunity to clarify the issue**
 - **Expedite resolution – avoid delay**
 - **Access to Insurers files upon request**
 - **Resolve disputes at the lowest level possible**

Injured Workers

- **Injured workers often don't know what their rights are or what they need to do**
 - **Filing a claim - Injury vs occupational disease**
 - **Employer will not file claim**
 - **Who do I need to contact?**
 - **Answer questions regarding benefit entitlement**
 - **When do I get paid?**
 - **How much will I receive and how is it calculated?**
 - **My benefits have been terminated – can they do that?**
 - **Where is my check?**
 - **Assist when communication has broken down between the claim examiner and the injured worker**
 - **Confirm what injured worker has been told by their claim examiner**

Injured Workers

- **Medical treatment**

- Can I choose my treating physician?
- Do I have to go to my employers or my insurers doctor?
- What is an IME? Do I have to attend?
- Why is it taking so long for authorization for treatment?
- Why was authorization for treatment denied?

- **Vocational Rehabilitation**
- **Reasonable expectations of what the system offers and what it does not offer**
- **We do not represent workers – we empower them with accurate and timely information**
- **Information concerning injured workers or claim inquiries is considered highly confidential**
- **We keep our own internal files for Action Requests**

Timely Communication

- **Delays create problems in the system**
- **Our goal is to expedite resolution of claim issues**
- **Keep communication open between examiners and injured workers**
- **The three Claims Specialists have assisted approximately 350 individuals from July 7, 2008 through August 20, 2008.**

Statutory Requirements

- **Process settlements**
- **Issue Orders**
 - **Reinstatement of benefits**
 - **Direct Injured Worker to a medical examination**
 - **Suspension of benefits**
- **Extend 608 Benefits**
- **Claim inquiries and settlements are considered a priority**

Education

- **Annual Report**
- **Benefits Summary Pamphlets**
- **Yearly Stakeholder Training**
- **Annual Governor's Conference on Workers' Compensation and Occupational Safety and Health**
- **Assistance to Business Clinics (ABC) for Employers**
- **Send notice of compensation rates, present value discounts and cost of living changes**

Marketing of Services

How we market our services:

- **Benefits Summary Pamphlets**
- **Work Force Services and other State Agencies**
- **Union Representatives**
- **Claim examiners, attorneys and employers**
- **ERD Website**
- **We are currently working on a toll free number for easier access**
- **All services free of charge**

Appeals

- **Any party with a dispute may appeal the decision by petitioning Mediation and the Workers' Compensation Court**
- **We send mediation petitions and brochures to injured workers upon request, or when we identify an issue that may need to be mediated**
- **We refer issues which cannot be resolved within the Claims Unit to the Mediation Unit**

Conclusion

- **We try to keep injured workers focused**
- **We are here to assist injured workers in every phase of the process, from initial claim filing to settlement or claim closure**
- **We establish trust by explaining who we are and what we do**
- **We gain credibility by providing objective, honest information and assistance**
- **We provide neutral third party assistance**
- **We do not share confidential claim information with any stakeholders unless they are directly involved in the claim**

Conclusion

- **We provide information to the Legislature**
- **Our goal is to resolve issues at the lowest level possible and avoid litigation**
- **We currently provide most of the same services offered in the Project Help Program in Washington**
- **We intend to improve our services:**
 - **Toll Free Number**
 - **More Reporting Services**
- **In our quest to improve our services we are open to comments or suggestions**